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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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09/612,946

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Masato Ochiai

CFO

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07/02/2004

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EXAMINER

CHODHARY, ANITA

ART UNIT

PAPER NUMBER

2153

10

DATE MAILED: 07/02/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/612,946

Applicant(s)

OCHIAI ET AL.

Examiner

Anita Choudhary

Art Unit

2153

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 15 April 2004.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 30-39 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 30-39 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Response to Amendment

The amendment filed on April 15, 2004 has been entered. Claims 30 and 35-39 have been amended and are presented for further examination.

Claims 30-39 are presented.

Response to Arguments

Applicant's arguments filed April 15, 2004 has been fully considered but they are not persuasive.

Applicant argues that the reference shown by Tonelli (US 6,229,540) does not disclose or suggest the claimed features involving setting location information of a device included in search results whose location information is not registered, and registering the set location information to the device whose location information is not registered as in claims 30, 36, and 38. Applicant specifically argues that Tonelli “merely performs a query for devices on the network, displays discovered devices on a layout and adds information to the a database, and permits user to enter information of the device into the database.” (see page 13 of Reply). Examiner agrees with this very broad characterization of the reference, however disagrees with the conclusion reached about Tonelli. In reply to Applicants remarks concerning claims 30, 36, and 38, it is pointed out that the step for permitting a user to enter information (e.g. location information, col. 21 lines 1-3) about a device into the corresponding device’s tree list (col. 21 lines 26-30) clearly suggests a registration process to a device found in a query. Device tree lists are part of design sheet and therefore devices are registered into a design sheet through the device’s tree list (see fig. 51). Tonelli further points out a validation process in order to validate the registering of a device

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attribute (e.g. location) (col. 21 lines 48-50). The validation process can register location information, assigned by a network manager, to the device into the design sheet, for devices whose location information was not previously registered.

Applicant presents similar arguments in regards to claims 35, 37, and 39. In reply, Tonelli shows a “drag-and-drop” technology in relation to the network design environment for dragging device icons representing device objects on to the network design sheet in order to map and register location and connection information (see fig. 54, col. 21 line 62- col. 22 line 2).

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371(c) of this title before the invention thereof by the applicant for patent.

The changes made to 35 U.S.C. 102(e) by the American Inventors Protection Act of 1999 (AIPA) and the Intellectual Property and High Technology Technical Amendments Act of 2002 do not apply when the reference is a U.S. patent resulting directly or indirectly from an international application filed before November 29, 2000. Therefore, the prior art date of the reference is determined under 35 U.S.C. 102(e) prior to the amendment by the AIPA (pre-AIPA 35 U.S.C. 102(e)).

Claims 30-39 are rejected under 35 U.S.C. 102(e) as being anticipated by Tonelli et al (US 6,229,540).

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In referring to claim 30, 36, and 38, Tonelli discloses a system for querying a network for devices and editing device information (e.g. location information), which is then validated (see Abstract). Tonelli shows:

- A transmission unit (query engine 502) arranged to transmit device attribute information input by a user to search for a desired device (col. 19 lines 11-col. 20 line 11).
- A reception unit arranged to receive, as search results, device information of devices satisfying the device attribute information transmitted by said transmission unit (fig. 51, col. 20 lines 54-57).
- A display unit arranged to identifiable display whether or not location information of the devices included in the search results received by the reception unit is registered (fig. 52, 576: "location", col. 20 lines 57-63, col. 21 lines 22-26).
- A setting unit (edit function) arranged to set at least location information of devices whose location information is not registered among devices included in the search results (col. 21 lines 1-3 and 12-30).
- A registration unit arranged to register the location information set by said setting unit to the devices whose location information is not registered (col. 21 lines 30-50, Note that empty fields relating to device attributes like location are assigned then verified by validation process).

In referring to claim 31, Tonelli shows storage unit (database) arranged to store a map (templates) designated an area of a device to be located, wherein the display unit displays a location of the device include in the search results using the map information to be stored in the storage area (fig. 2, col. 6 lines 53-62).

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In referring to claim 32, Tonelli shows the search results received include map designating area in which devices are included in the search results, and display unit displays a location of the device included in the search results using map information to be stored in database as design sheet (fig. 11, col. 8 lines 20-39).

In referring to claim 33, Tonelli shows registered devices on a map and unregistered devices outside the map (fig. 56, col. 22 lines 20-29).

In referring to claim 34, Tonelli shows the setting unit sets location of unregistered device in response to the device icon being outside the map (tree-list) to a location on the map (edit, drag and drop device icon, col. 21 lines 42-50).

In referring to claim 35, 37, and 39, which is similar to claim 30 above, Tonelli shows:

- A transmission unit (query engine 502) arranged to transmit device attribute information input by a user to search for a desired device (col. 19 lines 11-col. 20 line 11).
- A reception unit arranged to receive, as search results, device information of devices satisfying the device attribute information transmitted by said transmission unit (fig. 51, col. 20 lines 54-57).
- A display unit arranged to identifiable display icons respectively corresponding to the devices of the device information received at the search results by the reception unit (fig. 51, 576, 578, col. 21 lines 4-11).
- A setting unit (drag and drop function) arranged to set location information of a device corresponding to an icon of the device, from among the displayed icons being designated at a location on a map (fig. 46 item 16, fig. 54, col. 21 line 62- col. 22 lines 7).

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- A registration unit (validation process) arranged to register the location information set by said setting unit to the device represented by the icon whose location is designated on the map (col. 22 lines 2-7).


Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Anita Choudhary whose telephone number is (703) 305-5268. The examiner can normally be reached on 9am-5pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Glenton Burgess can be reached on (703) 305-4792. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

AC
June 25, 2004


GLENTON B. BURGESS
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2100